

*Held*, that any liquor in respect to which a permit has been granted was exempt from seizure, and that no penalty attached to any one in whose possession it might be found, though such party was not the one in whose name the permit issued.

The court, therefore, quashed the conviction without deciding the first point raised, as it was not necessary to decide it.

### Miscellaneous.

#### RULE OF COURT.

Wednesday, 17th November, 1886.

*Present:* The Hons. Adam Wilson, P.H. C.J.; J. A. Boyd, Chanc. Jor.; M. C. Cameron, C.J.C.P.D.; J. D. Armour, J.; T. Ferguson, J.; J. E. Rose, J.

WHEREAS, by the Act passed in the 49th year of Her Majesty's reign, chaptered 49, and intituled, "An Act to make further provision respecting summary proceedings before Justices and other Magistrates."

It is enacted as follows:

SEC. 8. The second section of the Imperial Act, passed in the 5th year of the reign of His Majesty King George II., and chaptered 19, shall no longer apply to any conviction, order, or other proceeding by or before a justice of the peace in Canada, but the sixth section of this Act shall be substituted therefor, and the like proceedings may be had for enforcing the condition of a recognizance taken under this Act, as might be had for enforcing the condition of a recognizance taken under the said Imperial Act.

It is therefore ordered, under the authority of the said section, and in pursuance of the terms of the sixth section of the said Act, that no motion shall be entertained by this court, or by any division of the same, or by any judge of a division sitting for the court, or in Chambers, to quash a conviction, order, or other proceeding which has been made by or before a justice of the peace [as defined by the said Act:] and brought before the court by *certiorari*, unless the defendant is shown to have entered into a recognizance with one or more sufficient sureties in the sum of \$100 before a justice or justices of the county, or

place, within which such conviction or order has been made, or before a judge of the County Court of the said county, or before a judge of the Superior Court, and which recognizance with an affidavit of the due execution thereof, shall be filed with the Registrar of the court in which such motion is made or is pending, or unless the defendant is shown to have made a deposit of the like sum of \$100 with the Registrar of the court in which such motion is made, with or upon the condition that he will prosecute such *certiorari* at his own costs and charges and without any wilful or affected delay, and that he will pay the person in whose favour the conviction, order, or other proceeding is affirmed, his full costs and charges to be taxed according to the course of the court in case such conviction, order, or proceeding is affirmed.

Certified,

M. B. JACKSON, *Acting Clerk*

### Appointments to Office.

#### POLICE MAGISTRATE.

*Bruce.*

John Bruce, of Walkerton, Police Magistrate in and for the town of Walkerton, without salary, *vice* Richard Vanstone, resigned.

#### DIVISION COURT CLERKS.

*Lanark.*

George McKinnon, of Smith's Falls, Clerk of the Fourth Division Court, *vice* W. M. Keith, resigned.

*Stormont, Dundas, and Glengarry.*

John A. McDougall, of Lochiel, Clerk of the Second Division Court, *vice* C. D. Chisholm, removed from office.

*Middlesex.*

C. G. Anderson, of Delaware, Clerk of the Fourth Division Court, *vice* C. J. Fox, resigned.

*Prescott and Russell.*

Telephore Rochon, of Clarence, Clerk of the Tenth Division Court, *vice* P. D. MacDonald, resigned.

#### DIVISION COURT BAILIFF.

*Stormont, Dundas and Glengarry.*

C. McLaurin, of Lochiel, Bailiff of the Second and Twelfth Division Courts, *vice* Samuel R. McLeod, removed from office.